

Express Mail Label No.: EV 328187365 US

Date of Deposit: January 7, 2004

Attorney Docket No. 21402-235 (Cura-535)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Kekuda et al.

SERIAL NUMBER: 10/037,417

EXAMINER: James Martinell

FILING DATE: January 4, 2002

ART UNIT: 1631

FOR: PROTEINS AND NUCLEIC ACIDS ENCODING SAME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313.1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the above-referenced patent application are the following documents:


1. Response to Notice of Non-Compliant Amendment (1 page);
2. Appendix 1 (5 pages); and
3. Return postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617-542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any additional fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311, Ref. No. 21402-235 (Cura 535). A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Date: January 7, 2004


Ivor R. Elrifi, Reg. No. 39,529
Attorney for Applicants
c/o MINTZ, LEVIN
Tel: (617) 542-6000
Fax: (617) 542-2241
Customer No. 30623

Express Mail No. EV 328187365 US.
Date of Deposit: January 7, 2004

Attorney Docket No. 21402-235 (CURA-535)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Kekuda et al.
SERIAL NO.: 10/037,417 EXAMINER: James Martinell
FILING DATE: January 4, 2002 ART UNIT: 1631
FOR: PROTEINS AND NUCLEIC ACIDS ENCODING SAME

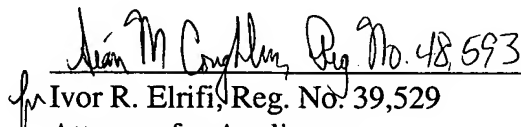
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

In response to the December 15, 2003 Notice of Non-Compliant Amendment, Applicants submit the corrected "Amendment to the Claims" section of the Preliminary Amendment filed December 4, 2003, deemed to be non-compliant due to alternative status identifiers. The corrected section is attached in Appendix 1. The phrases "presently amended" have been changed to "currently amended" and "presently cancelled" has been changed to "canceled".

This document should be timely if filed by January 15, 2004. The Commissioner is hereby authorized to charge payment of any additional fees required in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 50-0311, Reference No.21402-235 (CURA-535).

Respectfully submitted,


for Ivor R. Elrifi, Reg. No. 39,529
Attorney for Applicants
c/o MINTZ LEVIN
Tel.: (617) 542-6000
Fax: (617) 542-2241
Customer No. 30623

Dated: January 7, 2004